

1 P E  
MAR 04 2003  
U.S. PATENT & TRADEMARK OFFICE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED

In re Application of:

Denis MARTIN et al.

MAR 06 2003

Serial No.: 10/078,531

Examiner:

Unknown

TECH CENTER 1600/2900

Filed: February 21, 2002

Group Art Unit: 1645

# 9

Title: STREPTOCOCCUS PYOGENES POLYPEPTIDES AND CORRESPONDING  
DNA FRAGMENTS

**INFORMATION DISCLOSURE STATEMENT  
UNDER 37 C.F.R. §§ 1.56, 1.97 AND 1.98**

Assistant Commissioner for Patents  
Washington, DC 20231

Sir:

**CITED MATERIALS**

Applicant(s) hereby disclose the information listed in the attached form PTO-1449.

- ☐ Copies of materials listed but not attached were cited in parent application Serial No. \_\_\_\_; see 37 C.F.R. § 1.98(d).
- ☐ Copies of materials listed but not attached were cited in an International Search Report dated \_\_\_\_; receipt of the International Search Report and copies of references was confirmed by the PCT International Division of the U.S. PTO in the Notice of Acceptance mailed \_\_\_\_.

**ADDITIONAL INFORMATION**

Enclosed is a copy of the Search Report from corresponding PCT Application No.: PCT/CA02/00207, filed February 21, 2002.

**LANGUAGE**

- ☒ All listed materials are in the English language; see 37 C.F.R. § 1.98.
- ☐ Non-English language references:
  - ☐ The reference(s): \_\_\_\_ in the English-language is (are) indicated by commercial data bases to correspond to the reference(s): \_\_\_\_, respectively.
  - ☐ (An) English-language translation(s) of the references: \_\_\_\_ is (are) provided.

- ☐ A commercial English-language abstract of reference(s) \_\_\_\_\_ is (are) provided.
- ☐ An English-language search report or an equivalent paper from a foreign patent office translated into English in pertinent part in connection with a counterpart foreign application, is provided indicating the relevance of the cited reference(s).

#### FEEES

- ☒ No fee is required for this Information Disclosure Statement because:
  - ☐ This Information Disclosure Statement is being filed within three months of the filing date of a national application (other than a CPA) under § 1.53(d) or within 3 months of the date of entry of the national stage under § 1.491 in an international application;
  - ☒ This Information Disclosure Statement is being filed before the mailing of a first action on the merits;
  - ☐ This Information Disclosure Statement is being filed after a first action on the merits but before the mailing date of any of a final action under § 1.113, a notice of allowance under § 1.311, or an action that closes prosecution in the application; and is accompanied by a certification below.
  - ☐ This Information Disclosure Statement is filed under 37 C.F.R. § 1.97(i).
- ☐ A fee is required for this Information Disclosure Statement:
  - ☐ This Information Disclosure Statement is being filed after a first action on the merits but before the mailing date of any of a final action under § 1.113, a notice of allowance under § 1.311 or an action that closes prosecution, and is accompanied by the fee set forth in § 1.17(p).
  - ☐ This Information Disclosure Statement is being filed after the mailing date of a final rejection or a notice of allowance under § 1.311 or an action that closes prosecution, but before the payment of the issue fee, and is accompanied by the fee set forth in § 1.17(p) and a certification below.

#### CERTIFICATION


- ☐ Each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement.

- ☐ No item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the undersigned, having made reasonable inquiry, no such item was known to any individual designated in 37 CFR § 1.56(c), more than three months prior to the filing of this statement.

**DEPOSIT ACCOUNT**

If a fee is due, the Commissioner is hereby authorized to charge fees under 37 CFR § 1.16 and § 1.17 which may be required to facilitate this filing, or credit any overpayment to Deposit Account No. 13-3402, a copy of this paper is attached for this purpose.

Respectfully submitted,

  
\_\_\_\_\_  
Brian P. Heaney, Reg. No. 32,542  
Attorney for Applicants

MILLEN, WHITE, ZELANO &  
BRANIGAN, P.C.  
Arlington Courthouse Plaza 1, Suite 1400  
2200 Clarendon Boulevard  
Arlington, Virginia 22201  
Telephone: (703) 243-6333  
Facsimile: (703) 243-6410

Attorney Docket No.: PHARMA-18

Date: March 4, 2003

K:\phARMA\18\IDS.doc